

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

RAMON VILLANUEVA-BAZALDUA )  
individually and on behalf of others )  
similarly situated, )

Plaintiff, )

v. )

C. A. No. 06-185 (GMS)

TRUGREEN LIMITED PARTNERS<sup>1</sup> )  
and TRUGREEN, INC.<sup>2</sup> d/b/a )  
TRUGREEN CHEMLAWN,<sup>3</sup> )

Defendant. )

**NOTICE OF SERVICE**

I, Michael P. Kelly, hereby certify that a true and correct copy of Defendants' Responses to Plaintiff's Request for Production of Documents, Defendants' Responses to Plaintiff's First Request for Admissions and Defendants' Responses to Plaintiff's Interrogatories to Defendant were served on this 28th day of September, 2006, upon the following counsel of record as indicated:

**BY HAND DELIVERY & EMAIL**

Vivian L. Rapposelli, Esquire (#3204)  
Rapposelli, Castro & Gonzales  
1300 Grant Ave., St. 100  
Wilmington, DE 19806  
[vrapposelli@rcglaw.com](mailto:vrapposelli@rcglaw.com)

<sup>1</sup> The correct legal name is TruGreen Limited Partnership.

<sup>2</sup> TruGreen, Inc. was not Plaintiff's employer, and therefore, is not a proper party in this action.

<sup>3</sup> TruGreen, Inc. does not do business as (d/b/a) TruGreen Chemlawn; TruGreen Limited Partnership does do business as (d/b/a) TruGreen Chemlawn.

**VIA FIRST CLASS MAIL & EMAIL**

Edward Tuddenham, Esquire  
153 Upland Road  
Cambridge, MA 02140  
etudden@io.com

Respectfully submitted,

/s/Michael P. Kelly  
Michael P. Kelly (de Bar ID #2295)  
McCarter & English  
Citizens Bank Building  
919 N. Market Street, 18th Floor  
Wilmington, DE 19801  
(302) 984-6301

Dated: September 28, 2006

Attorney for Defendants